

Message Text

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FM USMISSION USUN NEW YORK
TO SECSTATE WASHDC IMMEDIATE 9985
AMCONSUL CAPE TOWN IMMEDIATE
INFO AMEMBASSY BONN PRIORITY
AMEMBASSY DAR ES SALAAM
AMEMBASSY GABORONE
AMEMBASSY LAGOS
AMEMBASSY LONDON PRIORITY
AMEMBASSY LUSAKA IMMEDIATE
AMEMBASSY MAPUTO
AMEMBASSY OTTAWA
AMEMBASSY PARIS PRIORITY
AMEMBASSY PRETORIA IMMEDIATE

C O N F I D E N T I A L SECTION 01 OF 03 USUN NEW YORK 00870

FOR EMBASSY CAPE TOWN

E.O. 11652: GDS
TAGS: PORG, SF, WA
SUBJECT: NAMIBIA: DRAFT TALKING POINTS FOR USE WITH
FOURIE

1. FOLLOWING ARE DRAFT TALKING POINTS, APPROVED BY CONTACT
GROUP MARCH 10 AD REFERENDUM, FOR USE IN INFORMAL APPROACH
(SEPTTEL) TO BRAND FOURIE:

1) OUR FIVE GOVERNMENTS APPRECIATE THE CONSTRUC-
TIVE, INFORMAL CONVERSATIONS WHICH WE HAVE HAD WITH YOU
AND FOREIGN MINISTER BOTHA CONCERNING THE CLARIFICATIONS
OF OUR PROPOSAL. WE WOULD LIKE TO ADVISE YOU OF OUR
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GOVERNMENTS' VIEWS ON A NUMBER OF THE COMMENTS WHICH YOU
AND MR. BOTHA HAVE MADE IN THE COURSE OF OUR MEETINGS OF
MARCH 5 AND 8.

2) FIRST, WE WOULD LIKE TO RESPOND TO THE
SUGGESTION THAT DECISIONS SHOULD BE MADE BY THE ADMINIS-
TRATOR GENERAL AND THE UN SPECIAL REPRESENTATIVE ON A

CONSENSUS BASIS. AS WE HAVE STATED EARLIER, WE BELIEVE THE VITAL FACTOR IN THE IMPLEMENTATION OF OUR PROPOSAL WILL BE THE PERSONAL RAPPORT BETWEEN THE ADMINISTRATOR-GENERAL AND THE UN SPECIAL REPRESENTATIVE. WE ENVISION A CLOSE AND INFORMAL WORKING RELATIONSHIP BETWEEN THESE TWO OFFICIALS, WHICH WILL RESULT IN THEIR DISCUSSING TOGETHER THE PURPOSE AND RAMIFICATIONS OF ANY ACTION, BEFORE SUCH ACTION IS FORMALLY PROPOSED. SUCH AN INFORMAL RELATIONSHIP WOULD AVOID MANY OTHERWISE PUBLIC DISPUTES. THE LANGUAGE WHICH WE HAVE MOST RECENTLY PROPOSED CONCERNING THE FORMAL RELATIONSHIP BETWEEN THESE TWO OFFICIALS EMBRACES THE OBJECTIVES WHICH YOU SEEK. THE SPECIAL REPRESENTATIVE MAY "MAKE PROPOSALS", BUT ADMINISTRATION RESTS WITH THE ADMINISTRATOR-GENERAL. ON THE OTHER HAND, THE UN SPECIAL REPRESENTATIVE WILL HAVE TO SATISFY HIMSELF AS TO THE FAIRNESS AND APPROPRIATENESS OF ALL MEASURES APPROVED BY THE ADMINISTRATOR-GENERAL BEFORE THEY CAN TAKE EFFECT. WE BELIEVE, HOWEVER, THAT THE LANGUAGE OF OUR PROPOSAL CONCERNING THE SPECIAL REPRESENTATIVE'S FUNCTIONS MUST NOT BE ANY LESS PRECISE, IF WE ARE TO REMAIN CONSISTENT WITH SECURITY COUNCIL RESOLUTION 385 WHICH CALLS FOR UN SUPERVISION AND CONTROL, AND IF WE ARE TO OBTAIN SECURITY COUNCIL APPROVAL FOR OUR PROPOSAL. WE BELIEVE THAT IN OUR PRESENT REVISED WORDING WE HAVE MADE A REAL EFFORT TO MEET YOUR PRESENTATIONAL DIFFICULTIES. NEVERTHELESS, TO UNDERLINE THE IMPORTANCE

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WHICH WE ATTACH TO THE PRINCIPLE OF COOPERATION, WE ARE REPLACING THE WORDS "DEAL WITH" IN THE THIRD SENTENCE OF PARAGRAPH FOUR OF OUR PROPOSAL BY THE WORDS "WORK TOGETHER WITH".

3) IN OUR EARLIER DISCUSSION OF THE RELATIONSHIP OF THE ADMINISTRATOR-GENERAL AND THE SPECIAL REPRESENTATIVE WE NOTED THE NEED TO SPECIFY THAT THE SPECIAL REPRESENTATIVE WOULD HAVE TO BE SATISFIED WITH ALL MEASURES "AT ALL LEVELS OF ADMINISTRATION". YOU IN TURN REQUESTED THAT OUR ORAL ASSURANCE TO YOU, REGARDING OUR RECOGNITION OF THE CENTRAL RESPONSIBILITY OF THE ADMINISTRATOR-GENERAL FOR THE ADMINISTRATION OF THE TERRITORY BE INCLUDED IN THE PROPOSAL. AS YOU ACKNOWLEDGED, HOWEVER, THE CONCEPT IS IMPLICIT THROUGHOUT THE ENTIRE DOCUMENT. AN UNNECESSARY CHANGE WOULD COMPLICATE OUR OVERALL EFFORTS.

4) TURNING TO THE QUESTION OF THE MECHANISM FOR THE SETTLEMENT OF DISPUTES REGARDING THE STATUS OF POLITICAL PRISONERS, WE BELIEVE THAT OUR PRESENT MECHANISM REPRESENTS THE BEST RESPONSE TO THE CONCERNS OF

ALL PARTIES. THE APPOINTMENT BY THE SECRETARY GENERAL OF THE LEGAL ADVISER TO THE SPECIAL REPRESENTATIVE WOULD ASSURE THE INDEPENDENCE OF HIS ADVICE. THE REQUIRED INTERNATIONAL STATURE OF THE ADVISER WOULD GUARANTEE HIS IMPACT ON THE DECISIONS OF THE SPECIAL REPRESENTATIVE. IN MAKING THIS EFFORT TO SATISFY YOUR CONCERN FOR INDEPENDENCE IN THE MECHANISM, WE HAVE ALSO TAKEN ACCOUNT OF THE VIEWS OF OTHERS THAT THESE QUESTIONS ARE ESSENTIALLY POLITICAL IN NATURE.

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FOR EMBASSY CAPE TOWN

5) IN MR. BOTHA'S COMMENTS OF MARCH 5 ON THE RELEASE OF POLITICAL DETAINEES HE MENTIONED THE NEED FOR OVAMBO OR OTHER INVOLVEMENT IN DETERMINING THE REAL MOTIVES OF ANY NAMIBIANS WHO OPT TO REMAIN OUTSIDE THE TERRITORY. WE ARE NOT SO MUCH CONCERNED WITH THE MOTIVES OF THOSE ELECTING TO REMAIN OUTSIDE - WHICH YOU WILL AGREE IS A PERSONAL MATTER - AS WE ARE WITH THE FREEDOM OF THEIR CHOICE. OUR PROPOSAL CALLS ON THE SPECIAL REPRESENTATIVE WITH THE ASSISTANCE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES AND OTHER APPROPRIATE INTERNATIONAL

BODIES TO ENSURE THAT FREEDOM OF CHOICE, AND WE ASSUME
THAT OVAMBOS AND OTHERS WITH RELATIVES OUTSIDE THE
TERRITORY WILL BE IN TOUCH WITH THE SPECIAL REPRESENTATIVE.
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6) AS WE EXPLAINED TO YOU ON 27 FEBRUARY, WE
HAD THOUGHT THAT THE REFERENCES IN SUB-PARAGRAPHS 8(A)
AND 8(B) OF OUR PROPOSAL TO UN MONITORING WERE TAKEN CARE
OF BY THE MORE GENERAL FORMULATION IN WHAT IS NOW PARA-
GRAPH 8(E), WHICH READS "A MILITARY SECTION OF THE UNTAG
TO MAKE SURE THAT THE PROVISIONS OF THE AGREED SOLUTION
WILL BE OBSERVED BY ALL PARTIES." WE EXPLAINED THAT THIS
BLANKET FORMULA COVERED ALL OTHER ASPECTS OF OUR PROPOSAL
THAT DEALT WITH MILITARY OR SECURITY QUESTIONS. MONI-
TORING WILL OF COURSE BE ONE OF THE MAIN FUNCTIONS OF
UNTAG PERSONNEL STATIONED IN NAMIBIA. IT OCCURS TO US,
HOWEVER, THAT REFERENCES TO THE RESTRICTION OF SWAPO
ARMED FORCES TO "BASE UNDER UN MONITORING" MIGHT GIVE
RISE TO UNNECESSARY DIFFICULTIES. SO FAR AS WE KNOW,
SWAPO'S BASES ARE ALL IN ANGOLA AND ZAMBIA. IN PARAGRAPH
12 OF OUR PROPOSAL, NEIGHBORING COUNTRIES ARE REQUESTED
TO ENSURE THAT THE PROVISIONS OF THE TRANSITIONAL
ARRANGEMENTS ARE RESPECTED, AND TO AFFORD THE NECESSARY
FACILITIES TO THE UN SPECIAL REPRESENTATIVE TO CARRY OUT
HIS ASSIGNED FUNCTIONS. QUESTIONS OF NATIONAL SOVER-
EIGNTY WOULD CLEARLY ARISE, HOWEVER, IF WE SOUGHT
EXPLICITLY TO EXTEND THE APPLICABILITY OF OUR PROPOSAL TO
COUNTRIES OUTSIDE NAMIBIA. AS YOU KNOW, THE ANGOLANS
HAVE HITHERTO SHOWN THEMSELVES RELUCTANT TO CONSIDER THE
PERMANENT STATIONING OF UN OFFICIALS IN ANGOLA, WHILE
INDICATING THAT WHAT THEY CALL A NO-GO AREA IS NOT
EXCLUDED. WE INTEND TO CONTINUE OUR DISCUSSIONS WITH THE
ANGOLANS ON THESE MATTERS. WHATEVER THE ARRANGEMENTS TO
WHICH THE ANGOLAN GOVERNMENT MIGHT BE ABLE TO CONSENT,
HOWEVER, THEY COULD NOT FORM AN INTEGRAL PART OF OUR
PROPOSAL. COMPREHENSIVE UN MONITORING OF ALL ACTIVITY
INSIDE NAMIBIA, AND OF THE BORDER AREA, REMAINS HOWEVER
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AN ESSENTIAL ELEMENT IN OUR PROPOSAL.

7) WE ARE CONSIDERING MR. BOTHA'S COMMENTS ON
THE TIMING OF WITHDRAWAL OF THE RESIDUAL SOUTH AFRICAN
FORCE. WE SHALL REVERT TO YOU ON THIS MATTER AS SOON AS
POSSIBLE, BUT MUST WARN YOU THAT THIS IS A SENSITIVE

POLITICAL ISSUE NOT ONLY FOR YOU BUT FOR THE
INTERNATIONAL COMMUNITY AS WELL.

8) YOUR FOREIGN MINISTER MADE THREE POINTS ON
THE SIZE OF THE RESIDUAL SOUTH AFRICAN FORCE, AND WE
WELCOME THE HELPFUL WAY IN WHICH HE APPROACHED THIS
PROBLEM. ON HIS FIRST QUESTION, IT SEEM TO US INCON-
CEIVABLE THAT THE CUBANS OR MPLA WOULD INVADE NAMIBIA
ONCE THE SPECIAL REPRESENTATIVE AND HIS STAFF HAVE
ASSUMED THEIR FUNCTIONS. AT THAT STAGE, UN MILITARY
PERSONNEL WOULD BE PRESENT IN THE TERRITORY. ON THE
SECOND AND THIRD QUESTIONS, WHICH HAVE TO DO WITH WAYS
OF CARRYING OUT THE SERVICE FUNCTION FOR THE RESIDUAL
FORCE, WE REMAIN OF THE VIEW THAT POLICE AND SERVICE
FUNCTIONS SHOULD NOT BE MIXED. THE POLICE WILL BE
PRIMARILY RESPONSIBLE FOR THE MAINTENANCE OF LAW AND
ORDER DURING THE TRANSITIONAL PERIOD. IT SEEMS ESSENTIAL
TO US TO BUILD UP CONFIDENCE IN THE APOLITICAL ROLE OF
THE POLICE FORCE, AND NOT TO GIVE IT A ROLE IN SUPPORT OF
THE MILITARY. IT IS OUR VIEW THAT ONCE THE RESIDUAL
SOUTH AFRICAN MILITARY CONTINGENT OF 1500 IS CONFINED TO
BASE AT GROOTFONTEIN AND/OR OSHIVELLO, ALL SERVICE AND
SUPPLY FUNCTIONS THROUGHOUT THE TERRITORY SHOULD BE PER-
FORMED BY GENUINE CIVILIANS, WHOSE STATUS CAN STAND UP TO
THE SCRUTINY OF THE SPECIAL REPRESENTATIVE. THEY CAN-
NOT BE SUBJECT TO WHAT YOU TERM "MILITARY DISCIPLINE",
AND WE BELIEVE THAT THEY SHOULD COME UNDER THE GENERAL
AUTHORITY OF THE ADMINISTRATOR-GENERAL. BUT SURELY IT

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FOR EMBASSY CAPE TOWN

SHOULD NOT BE IMPOSSIBLE TO ENGAGE CIVILIANS WITH
APPROPRIATE QUALIFICATIONS AND TERMS OF EMPLOYMENT FOR
THESE TASKS.

9) YOUR FOREIGN MINISTER ALSO RAISED THE
QUESTION OF GIVING THE ADMINISTRATOR-GENERAL A DETERMIN-
ING VOICE IN SETTING A FIGURE FOR THE SIZE OF UNTAG. WE
REPLIED THAT WE CONTEMPLATED CONSULTATION BETWEEN THE
SECRETARY-GENERAL AND APPROPRIATE AUTHORITIES IN NAMIBIA,
AND EXPLAINED THAT NEITHER THE SECRETARY-GENERAL NOR THE
SECURITY COUNCIL COULD ACCEPT LIMITATIONS ON THE
SECRETARY-GENERAL'S RESPONSIBILITY IN THIS AREA. YOU
SUGGESTED THAT SOME PRIVATE UNDERSTANDING MIGHT BE
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REACHED ON THE MATTER. UNDERSTANDINGS SELDOM REMAIN
PRIVATE FOR VERY LONG. WHAT WE HAVE DONE IS TO MAKE IT
CLEAR IN OUR PROPOSAL THAT PART OF THE SECRETARY-
GENERAL'S RESPONSIBILITY WOULD BE TO CONSULT ALL THOSE
CONCERNED WITH THE IMPLEMENTATION OF THE AGREEMENT. AS
WE EXPLAINED TO YOUR FOREIGN MINISTER, THE ADMINISTRATOR-
GENERAL WOULD CLEARLY BE CONSULTED UNDER THIS FORMULATION.
AS YOU KNOW, OUR PROPOSAL TALKS OF "FUNCTIONAL AND
LOGISTICAL REQUIREMENTS" AS FACTORS IN DETERMINING THE
ESTABLISHMENT OF A UN MILITARY CONTINGENT. THERE ARE
OTHER FACTORS AS WELL, SUCH AS THE POLITICAL AND
FINANCIAL IMPLICATIONS. WE BELIEVE THAT CONSIDERATION
OF THE SIZE OF THE UN MILITARY CONTINGENT SHOULD GROW
OUT OF THESE FACTORS, AND THAT WE SHOULD NOT ATTEMPT TO
SET AN ARBITRARY AND POLITICAL FIGURE, WHETHER PUBLIC OR
PRIVATE, ON THE SIZE. OTHERS WILL HAVE THEIR OWN VIEW
OF WHAT THE SIZE SHOULD BE, AND THEIR VIEW WILL ALMOST
CERTAINLY BE DIFFERENT FROM YOURS.

10) AS REGARDS THE ROLE OF THE SPECIAL REPRE-
SENTATIVE IN RELATION TO THE POLICE, WE CAN ADD NOTHING
TO WHAT WE SAID TO YOU ON 27 FEBRUARY.

11) WE ARE CERTAINLY PREPARED TO CONSULT WITH
YOU BEFORE MAKING PUBLIC THE FOUR POINTS ON WALVIS BAY
THAT WE HAVE IN MIND. YOU SHOULD BEAR IN MIND, HOWEVER,

THAT THESE POINTS REPRESENT THE FIVE'S OWN VIEWS, AND DO NOT FORM PART OF THE BODY OF OUR PROPOSAL.

12) FINALLY, YOUR FOREIGN MINISTER AGAIN TOOK UP THE QUESTION OF THE ELECTION DATE. FROM OUR POINT OF VIEW, THE SOONER THAT AN INTERNATIONALLY ACCEPTABLE SETTLEMENT IS REACHED, THE SOONER THE ELECTORAL PROCESS
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WILL BEGIN. WE CERTAINLY DO NOT WISH TO DELAY THE DATE UNDULY, BUT AT THE SAME TIME IT IS FUNDAMENTAL TO OUR PROPOSAL THAT ALL PARTIES IN NAMIBIA SHOULD HAVE ADEQUATE TIME IN WHICH TO CAMPAIGN.

2. COMMENT: UPON REFLECTION ON THE ABOVE TALKING POINTS, WE RAISED WITH UKUN DOUBTS ABOUT WORDING OF THE SEVENTH SENTENCE (BEGINNING "IT IS OUR VIEW") OF PARAGRAPH 8. BRITISH HAVE AGREED WITH US THAT THIS SENTENCE SHOULD BE REPLACED BY TWO SENTENCES READING AS FOLLOWS:

IT IS OUR VIEW THAT THE MILITARY FORCE LEVELS CONTAINED IN THE PROPOSAL MUST BE SCRUPULOUSLY OBSERVED. WHERE CIVILIANS ARE GIVEN THE TASK OF SERVICE AND SUPPLY FUNCTIONS, THEY MUST BE GENUINE CIVILIANS, WHOSE STATUS CAN STAND UP TO THE SCRUTINY OF THE SPECIAL REPRESENTATIVE.

WE HAVE NOT YET HAD AN OPPORTUNITY TO DISCUSS THIS NEW WORDING WITH THE OTHERS OF THE FIVE. END COMMENT.
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